

and have this day at 11 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on enrolled bills, have had S. B. No. 238 carefully examined and compared, and find same correctly enrolled, and have this day at 11 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 7, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on enrolled bills, have had S. B. No. 270 carefully examined and compared, and find same correctly enrolled, and have this day at 4:35 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

#### Bills Ordered Printed in Journal.

Committee Room,

Austin, Texas, March 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on City, Towns and Corporations, to whom was referred

S. B. No. 364.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

Stuart, Chairman.

Committee Room,

Austin, Texas, March 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 245.

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do pass.

WITT, Chairman.

Committee Room,

Austin, Texas, March 9, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Town and City Corporations, to whom was referred

S. B. No. 444,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

#### FORTY-THIRD DAY.

Senate Chamber,

Austin, Texas,

Tuesday, March 10, 1925.

The Senate met at 10 o'clock a m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Miller.

Prayer by Dr. Owers.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Ward.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 162, A bill to be entitled "An Act to repeal Article 2753 of the Revised Civil Statutes of 1911, pertaining to the organization and holding of county and district institutes for teachers, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,  
Chief Clerk of House Representatives.

**Bills and Resolutions.**

By Senator Parnell:

S. B. No. 450, A bill to be entitled "An Act creating a Special Road Law for Baylor County, Texas, and declaring an emergency."

Read first time and referred to Committee on Highways and Motor Traffic.

By Senator Bledsoe and others:

S. B. No. 451, A bill to be entitled "An Act creating a Board of Managers for the State's Iron Industries and Properties in connection therewith at and near Rusk, Texas; providing for the appointment and prescribing the duties of its members; directing the Prison Commission to transfer possession of said properties to the Board of Managers herein created; authorizing said Board of Managers to sell or lease any and all of said property and to collect outstanding obligations heretofore contracted; providing for reports by said board repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on State Penitentiaries.

**S. C. R. No. 34.**

By Senator Pollard:

Whereas, Mrs. O. D. Oliphant, National President of the American Legion Auxiliary, will be in the City of Austin on Thursday, March 12, 1925; now, therefore,

Be it Resolved by the Senate of Texas, and House of Representatives concurring, That Mrs. O. D. Oliphant be invited to address a joint meeting of the Senate and the House of Representatives at 11:30 a. m., March 12, 1925.

The resolution was read and adopted.

Morning call concluded.

**Senate Bill No. 223.**

The Chair laid before the Senate, as a special order, and on second reading,

S. B. No. 223, A bill to be entitled "An Act repealing Chapter 14 of the Laws of the State of Texas passed by the Thirty-sixth Legislature at its Third Called Session, and declaring an emergency."

The bill was read second time at a former date, and the question on the bill was the pending amendment by Senator Woodward.

After discussion, Senator Moore of Cooke moved to table the Woodward amendment, which motion was lost.

The substitute by Senator Woodward was adopted, by the following vote:

Yeas—16.

Bowers.	Smith.
Davis.	Strong.
Hardin of Erath.	Stuart.
Holbrook.	Ward.
Parr.	Wirtz.
Pollard.	Witt.
Real.	Wood.
Russek.	Woodward.

Nays—14.

Bailey.	Moore of Hunt.
Berkeley.	Moore of Cooke.
Bledsoe.	Murphy.
Fairchild.	Parnell.
Floyd.	Price.
Hardin of Kaufman.	Reid.
Lewis.	Triplett.

Absent—Excused.

Miller.

The bill was then passed to engrossment.

**Message From the House.**

Hall of the House of Representatives,  
Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 558, A bill to be entitled "An Act creating and incorporating the Edna Independent School District in Jackson County, Texas."

H. B. No. 571, A bill to be entitled "An Act to amend Section 14, Chapter 67, Local Laws enacted by the Thirty-third Legislature, for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

H. B. No. 542, A bill to be entitled "An Act creating and incorporating the Cross Roads County Line Independent School District lying in the counties of Henderson and Anderson, in the State of Texas."

H. B. No. 620, A bill to be entitled "An Act validating Common School District No. 9, Bailey County, Texas, and declaring an emergency."

H. B. No. 621, A bill to be entitled "An Act validating Common School District No. 2, Bailey County, Texas."

H. B. No. 622, A bill to be entitled "An Act to create the Longview Independent School District, in Bailey County, Texas."

H. B. No. 623, A bill to be entitled "An Act validating Common School District No. 1, of Bailey County, Texas."

H. B. No. 624, A bill to be entitled "An Act to create the West Camp Independent School District, in Bailey County, Texas."

H. B. No. 625, A bill to be entitled "An Act to create the Bula Independent School District, in Bailey County, Texas."

H. B. No. 627, A bill to be entitled "An Act validating Common School District No. 12, in Bailey County, Texas."

H. B. No. 426, A bill to be entitled "An Act to abrogate 'The Rule in Shelley's Case,' in Texas, as relates to instruments taking effect after December 31, 1925."

H. B. No. 484, A bill to be entitled "An Act changing the boundaries of Caldwell Common School District No. 6 in Lubbock County, Texas, and Abernathy Independent School District in Lubbock and Hale Counties, Texas, and transferring a portion of the territory now embraced in Abernathy Independent School District to Caldwell Common School District No. 6, and providing that Caldwell Common School District No. 6 shall assume and pay the portion of the bonded indebtedness of Abernathy Independent School District which it is obligated to assume in taking over the additional lands, and declaring an emergency."

H. B. No. 485, A bill to be entitled "An Act creating the Bledsoe Independent School District in Lubbock County, Texas, out of territory now comprising Bledsoe Common School District No. 5, in Lubbock County, Texas, etc."

H. B. No. 488, A bill to be entitled "An Act making a special road law for Upshur County; defining powers and duties of county commissioners, and conferring upon them such authority as may be necessary to enable them to establish and maintain a system of county public roads that will meet the requirements of all the people for convenient inter-communication and for reaching their local market centers and providing for extra compensation for extra services of commissioners, and declaring an emergency."

H. B. No. 490, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend County, Texas, including therein the territory of the present Richmond Independent District as incorporated under the General Law; providing a board of trustees for the said district and conferring upon the board of trustees the rights, powers and duties prescribed by General Law for independent school district trustees; validating current contracts to indebtedness and tax levies of the present Richmond Independent District as the valid and subsisting contracts, indebtedness and taxes of the district as hereby created, and declaring an emergency."

H. B. No. 510, A bill to be entitled "An Act to incorporate Bradshaw Independent School District in Taylor and Runnels Counties, Texas, as an independent school district and to provide for the election of trustees, raising of revenue by taxation, issuing of bonds for the erection of a school building within said district, to define the boundaries of said district and conferring upon the board of trustees plenary powers, to levy and collect a tax to retire bonds and to pay current expenses for the maintenance of said school, providing for a board of equalization, prescribing the duties and authorities of said board, and declaring an emergency."

H. B. No. 527, A bill to be entitled "An Act for the protection of fish in and for the regulation of the catching and taking fish in, and for the prohibiting of the sale, barter and purchase of fish taken in the waters which are located in the valley of the Big Wichita River, from where the lower or Diversion Dam on the Big Wichita River is located, which was built by the Wichita County Water Improvement District No. 1, in the northeast corner of Archer County, Texas, and from said dam and above the same up the valley of the said Big Wichita County River to the storage dam on the said river built by said Wichita County Water Improvement District No. 1 in Baylor County, Texas, and up the valley of said river from said storage dam are impounded in said river in Baylor County, Texas, or in any waters which are impounded in Archer County, Texas, by said Diversion Dam, or in water which is impounded in Baylor County, Texas, by said storage dam, or in any water in

Lake Wichita in Wichita County, Texas, and in Archer County, Texas, or in any in Wichita County, Texas, or in any water in the Big Wichita River in Baylor County, Texas, connecting the Big Reservoir, or Lake Kemp, created by said storage dam, with the Diversion Reservoir, or Diversion Lake, formed in Baylor and Archer Counties, Texas, by said diversion dam, or in any water in laterals leading off from said canals in Baylor County, Texas, Archer County, Texas, Wichita County, Texas, or Wilbarger County, Texas, or in any water in Wichita County, Texas, or in Archer County, Texas, in the lateral, canal or drainage ditch leading from what is known as the South Side Canal, but of said Diversion Lake from a point in said South Cabakub Section No. 16, of Denton County School Lands, League No. 4, Wichita County, Texas, to Holiday Creek and thence down Holiday Creek to Lake Wichita in Wichita and Archer Counties, Texas; and fixing penalties for the violation of this Act; and providing that the Game, Fish and Oyster Commissioner shall appoint not less than three deputies to be stationed on the waters described in this Act to enforce the provisions of this Act; and making it the duty of the district judges in the judicial districts in which the counties of Archer, Baylor, Wilbarger and Wichita are situated to give a special charge upon this law to the grand juries of those counties; and providing that this Act shall be cumulative to the General Laws of the State of Texas; and providing that the holding unconstitutional or invalid any provision of this Act by any court shall in no way affect the constitutionality and validity of the remainder of the Act; and declaring and suspending the constitutional rule requiring a bill to be read on three several days in each

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

#### House Bills on First Reading.

The following House bills were laid before the Senate read, severally, first time and referred to appropriate Committees:

H. B. No. 162, referred to Committee on Educational Affairs.

H. B. No. 542, referred to Committee on Educational Affairs.

H. B. No. 620, referred to Committee on Educational Affairs.

H. B. No. 621, referred to Committee on Educational Affairs.

H. B. No. 622, referred to Committee on Educational Affairs.

H. B. No. 623, referred to Committee on Educational Affairs.

H. B. No. 624, referred to Committee on Educational Affairs.

H. B. No. 625, referred to Committee on Educational Affairs.

H. B. No. 627, referred to Committee on Educational Affairs.

H. B. No. 426, referred to Committee on Civil Jurisprudence.

H. B. No. 484, referred to Committee on Educational Affairs.

H. B. No. 485, referred to Committee on Educational Affairs.

H. B. No. 488, referred to Committee on State Highways and Motor Traffic.

H. B. No. 490, referred to Committee on Educational Affairs.

H. B. No. 510, referred to Committee on Educational Affairs.

H. B. No. 527, referred to Committee on State Affairs.

H. B. No. 558, referred to Committee on Educational Affairs.

H. B. No. 571, referred to Committee on State Highways and Motor Traffic.

#### Simple Resolution No. 61.

By Senator Wood:

Whereas, S. B. No. 381 has passed the Senate and a resolution has been adopted requesting the House to return the bill to the Senate for further consideration, which request has not been granted by the House, and

Whereas, the recalling of the bill at this time will endanger its chances of consideration by the House; now, therefore,

Be it resolved that the Senate rescind its action in requesting the return of said bill.

The resolution was read and adopted.

#### Simple Resolution No. 62.

Whereas, little Miss Mary Ann McDonald is sojourning at the home of Mr. and Mrs. Molary McDonald, her father being the popular legislative correspondent of the Ft. Worth Record and the San Antonio Light; and her mother, a former efficient employe of the State of Texas, therefore,

Be it resolved, That little Miss Mary Ann be and is hereby designated as Mascot of the State Senate of the Thirty-ninth Legislature.

Be it further resolved, That the Secretary of the Senate be instructed to have a copy of this resolution enrolled and mailed to Miss Mary Ann and that a copy of same be preserved in the archives of the Senate.

Moore of Hunt, Floyd, Fairchild, Miller, Wirtz, President pro tem, Barry Miller, Lieutenant Governor, Holbrook, Hardin of Kaufman, Wood, Witt, Parnell, Berkeley, Murphy, Bailey, Strong, Moore of Cooke, Woodward, Stuart, Price, Hardin of Erath, Bledsoe, Reid, Parr, Real, Davis, Russek, Smith, Ward, Lewis, Bowers, Pollard, Triplett.

The resolution was read and adopted.

#### Recess.

On motion of Senator Wood, the Senate at 12 o'clock m. recessed until 2 o'clock today.

#### After Recess.

The Senate was called to order by Lieutenant Governor Miller.

#### Call of the Senate.

Senator Bailey moved a call of the Senate for the purpose of securing and maintaining a quorum until 5 o'clock today. The motion was duly seconded, and so ordered.

The Chair directed the sergeant-at-arms to enforce the call.

#### Senate Bill No. 303.

The Chair laid before the Senate, on second reading, and as special order,

S. B. No. 303, A bill to be entitled "An Act to provide that owners of public free school land heretofore purchased from the State of Texas, which land may hereafter be forfeited for non-payment of interest as now provided by law, provided said forfeiture was caused by reason of interest accrued or accruing prior to the taking effect of this Act, shall have the right to repurchase said lands or any part thereof at the reappraised value thereof under the law now governing such sales, and leaving any lien and valid contractual right existing in and to be land so repurchased unimpaired and providing for a revaluation of such land by the Commissioner of the General

Land Office as may be desired to be repurchased under this Act, and declaring an emergency."

The bill was read second time on yesterday, the question being on the two pending amendments by Senator Berkeley.

After consideration, Senator Wirtz moved to indefinitely postpone the further consideration of the bill and the amendments, and Senator Berkeley moved to table the motion.

The motion to table was adopted, by the following vote:

#### Yeas—21.

Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Floyd.	Stuart.
Holbrook.	Ward.
Lewis.	Witt.
Moore of Hunt.	Wood.
Moore of Cooke.	Woodward.
Price.	

#### Nays—6.

Bailey.	Murphy.
Hardin of Erath.	Pollard.
Hardin of Kaufman	Wirtz.

#### Absent.

Parnell.	Triplett.
Parr.	

#### Absent—Excused.

Miller.

Senator Hardin of Kaufman offered the following amendment to the amendment:

Amend by striking out Section 4.

Senator Berkeley moved to table the amendment to the amendment, which motion to table was adopted by the following vote:

#### Yeas—18.

Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Hunt.	Stuart.
Parnell.	Wood.
Parr.	Woodward.

#### Nays—10.

Bailey.	Moore of Cooke.
Fairchild.	Murphy.
Floyd.	Pollard.
Hardin of Erath.	Ward.
Hardin of Kaufman	Wirtz.

**Absent.**

Triplett. Witt.

**Absent—Excused.**

Miller.

The two amendments by Senator Berkeley were then adopted.

The bill was then passed to engrossment, by the following vote:

**Yeas—24.**

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Ward.
Moore of Hunt.	Wood.
Parnell.	Woodward.

**Nays—3.**Hardin of Kaufman Wirtz.  
Murphy.**Absent.**Moore of Cooke. Witt.  
Triplett.**Absent—Excused.**

Miller.

On motion of Senator Berkeley, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 303 put on its third reading and final passage, by the following vote:

**Yeas—26.**

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.

**Nays—3.**Hardin of Kaufman Wirtz.  
Murphy.**Absent.**

Triplett.

**Absent—Excused.**

Miller.

S. B. No. 303 was laid before the Senate, read second time, and passed finally, by the following vote:

**Yeas—26.**

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.

**Nays—3.**Hardin of Kaufman Wirtz.  
Murphy.**Absent.**

Triplett.

**Absent—Excused.**

Miller.

**Senate Bill No. 255.**

The Chair laid before the Senate, on third reading,

S. B. No. 255, A bill to be entitled "An Act to amend Section 1 of H. B. No. 535, Chapter 155, of the General Laws of the State of Texas, passed by the Thirty-eighth Legislature at its Regular Session; fixing the rate of speed for motor vehicles upon the public highways of the State, and within the corporate limits of any of the incorporated cities or towns, and within the boundaries of towns and villages not incorporated; prescribing penalties for violations of this Act; repealing all laws or parts of laws in conflict with its provisions, and declaring an emergency."

The bill was read third time and passed finally.

**Senate Bill No. 297.**

The Chair laid before the Senate, on third reading,

S. B. No. 297, A bill to be entitled "An Act allowing corporations to issue preferred stock, and also providing that such stock may take preference over common stock theretofore or thereafter issued, and further providing that such preference shall not exist as to common stock issued prior

to the passage of this Act without the consent given in writing of the holder of that stock, and declaring an emergency."

The bill was read third time and passed finally.

#### Senate Bill No. 298.

The Chair laid before the Senate, on third reading,

S. B. No. 298, A bill to be entitled "An Act providing for the employment of teachers who have been engaged ten years in teaching a special subject, without requiring that they have a certificate, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Nays—1.

Hardin of Kaufman.

Absent.

Triplett.

Absent—Excused.

Miller.

#### Senate Bill No. 401.

The Chair laid before the Senate, on third reading,

S. B. No. 401, A bill to be entitled "An Act conferring upon counties the right of eminent domain, where land, right-of-way or easements are necessary to be secured for the construction of jails, courthouses, hospitals, delinquent and dependent schools, poor farms, libraries, or for other public purposes, and providing for the institution of such proceedings in the name of the county, and that the assessing of damages shall be in conformity to the statutes of the State of Texas for condemning and acquiring right-of-way by railroads; and providing that no appeal

shall cause suspension of work, and that counties shall not be required to give appeal bond or bond for costs, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Triplett.

Absent—Excused.

Miller.

#### Senate Bill No. 223.

Senator Parr moved to reconsider the vote by which the substitute for S. B. No. 223 was passed to engrossment and spread the motion to reconsider on the Journal.

#### Senate Bill No. 449.

The Chair laid before the Senate, on second reading,

S. B. No. 449, A bill to be entitled "An Act to create a more efficient road system for Wood County; making the county commissioners ex-officio road supervisors for their respective precincts in said county; defining their powers and duties as such supervisors; providing for their compensation as such; providing for the working of hands on public roads who fail to pay road tax provided for herein; providing that no hands shall be apportioned to work on any highway maintained by the State of Texas; providing that hands subject to road duty may be apportioned to roads in the precinct of their residence, others than public road nearest to them; providing for the working of county convicts upon the public roads; providing for notice to be served upon hands subject to road duty, and penalty for violating such

notice; providing for the collection and disbursement of certain moneys and the payment of fees for services rewarded in connection herewith by certain county officials; prohibiting the use of any of the property belonging to Wood County, to be used in its road work, for any private purpose, and fixing penalties for violation of this Act; and penalties for the enforcement of the provisions of this Act; providing that if any provision of this Act shall be declared unconstitutional, that the remainder of said Act shall still remain in force and effect; declaring the provisions of this Act cumulative of all General Laws of the State of Texas upon this subject, and for the repeal of all special road laws heretofore enacted for Wood County, and parts hereof, when in conflict with any of the provisions of this Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Pollard, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 449 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Triplett.

Absent—Excused.

Miller.

S. B. No. 449 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Bowers.
Berkeley.	Davis.
Bledsoe.	Fairchild.

Floyd.	Real.
Hardin of Erath.	Reid.
Hardin of Kaufman	Russek.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Hunt.	Stuart.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.
Price.	

Absent.

Triplett.

Absent—Excused.

Miller.

### House Bill No. 602.

(Considered in lieu of Senate Bill on same subject.)

The Chair laid before the Senate, on second reading,

H. B. No. 602, A bill to be entitled "An Act to fix the term of court for the Sixth Judicial District in Fannin and Lamar Counties; providing for the convening of grand juries in Lamar County; repealing all laws in conflict therewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Floyd, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 602 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Triplett.



## Absent—Excused.

Miller.

H. B. No. 602 was laid before the Senate, read third time, and passed finally by the following vote:

## Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

## Absent.

Triplett.

## Absent—Excused.

Miller.

## Senate Bill No. 302.

Senator Moore of Hunt called from the table, and the Chair laid before the Senate,

S. B. No. 302, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial districts for the purpose of constituting and organizing courts of civil appeals therein; creating the Twelfth Supreme Judicial District of Texas, with Greenville as the site of said court; providing for the appointment and qualification of the judges of said Twelfth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Twelfth Supreme District of Texas; providing an appropriation for the maintenance of said court, and declaring an emergency."

The bill was read second time on March 4.

Senator Murphy offered the following amendment:

Amend S. B. No. 302, page 624, Senate Journal, Section 1, by inserting at the beginning of Subdivision 1, the following:

"The Court of Civil Appeals for the First Supreme Judicial District shall hold its sessions in the City of Houston, Harris County, Texas, as now provided by law."

The amendment was read, and Senator Holbrook made the point of order that a like amendment had been voted down when offered to another bill of like nature, and could not be considered at this time.

The Chair overruled the point of order.

The amendment was read and adopted by the following vote:

## Yeas—17.

Bledsoe.	Parr.
Bowers.	Pollard.
Davis.	Real.
Floyd.	Reid.
Hardin of Kaufman	Stuart.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	

## Nays—8.

Bailey.	Price.
Berkeley.	Smith.
Hardin of Erath.	Strong.
Holbrook.	Ward.

## Absent.

Fairchild.	Triplett.
Lewis.	Woodward.
Russek.	

## Absent—Excused.

Miller.

The bill was then passed to engrossment.

Senator Holbrook moved to suspend the constitutional rule requiring bills to be read on three several days and S. B. No. 302 be put on its third reading and final passage.

The motion was lost, by the following vote, a four-fifths vote being necessary:

## Yeas—17.

Bledsoe.	Real.
Bowers.	Reid.
Davis.	Smith.
Floyd.	Stuart.
Hardin of Erath.	Ward.
Holbrook.	Wirtz.
Moore of Hunt.	Witt.
Murphy.	Wood.
Parr.	

## Nays—9.

Bailey.	Pollard.
Berkeley.	Price.
Hardin of Kaufman	Russek.
Moore of Cooke.	Strong.
Parnell.	

**Absent.**

Fairchild. Triplett.  
Lewis. Woodward.

**Absent—Excused.**

Miller.

**Senate Bill No. 434.**

Senator Holbrook asked unanimous consent to take up S. B. No. 434 and there was objection, and Senator Holbrook moved to take up, out of its order, S. B. No. 434.

Senator Pollard made the point of order that a like bill had been killed in the House.

The Chair overruled the point of order.

The motion to take up the bill was adopted, by the following vote, a two-thirds vote being necessary:

**Yeas—20.**

Bailey.	Murphy.
Berkeley.	Parnell.
Bledsoe.	Parr.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Holbrook.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.

**Nays—6.**

Hardin of Kaufman	Strong.
Pollard.	Stuart.
Price.	Wirtz.

**Absent.**

Bowers.	Triplett.
Lewis.	Woodward.

**Absent—Excused.**

Miller.

The Chair laid before the Senate, on second reading,

S. B. No. 434, A bill to be entitled "An Act to aid in protection of the property and lives of citizens in a part of Brazoria County, from further disastrous and calamitous overflows and conserving and increasing the harbor facilities at the mouth of the Brazos River in Brazoria County, Texas, and to prevent the repeated shoaling of the waters on the bar of the harbor at the mouth of said river caused by deposit of silt from the flooding waters of the Brazos River in the channel of said river and in the Gulf of Mexico, and for the purpose of as-

sisting in the preventing of futura overflowing of said river, by granting and donating the said portion of Brazoria County for a term of twenty-five years or so much thereof as may be necessary, a portion of the State ad valorem tax levied and collected on property subject to taxation, in such portion of Brazoria County, to be used in making part payment of the interest and sinking fund of bonds to be used by said county, to provide for the construction of the necessary breakwaters, levees, dykes, floodways and diversions, and providing for the diversion of the channel of said Brazos River near its mouth, and providing for the administration of this Act."

The bill was read second time, and the committee report, that the bill be not printed, was adopted.

Senator Floyd offered the following amendment:

Amend the bill to exempt the State taxes for Red River County for one year and such exempted taxes to be applied to the reconstruction of a high school building at Annona, Texas.

Senator Wood made a point of order that the amendment was not germane to the bill.

The Chair sustained the point of order.

The bill failed to pass to engrossment, by the following vote:

**Yeas—13.**

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Russek.
Fairchild.	Ward.
Holbrook.	Witt.
Moore of Hunt.	Wood.
Murphy.	

**Nays—15.**

Bowers.	Price.
Davis.	Real.
Floyd.	Reid.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Lewis.	Stuart.
Moore of Cooke.	Wirtz.
Pollard.	

**Absent.**

Triplett.	Woodward.
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**Absent—Excused.**

Miller.

**Senate Join Resolution No. 3.**

The Chair laid before the Senate, on second reading,

S. J. R. No. 3, A joint resolution "Proposing an amendment to the

Constitution of the State of Texas, relating to mileage and per diem of members of the Legislature."

The pending amendment (printed in the Journal at a former date) was adopted.

The resolution was passed to engrossment.

#### Senate Bill No. 450.

On motion of Senator Parnell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 450 put on its second reading, by the following vote:

Yeas—28.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Triplett.

Absent—Excused.

Miller.

The Chair laid before the Senate, on second reading,

S. B. No. 450, A bill to be entitled "An Act creating a special road law for Baylor County, Texas, and declaring an emergency."

The Senate rule requiring committee reports to lay over for one day, was suspended.

The committee report, providing adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parnell, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 450 put on its third reading and final passage, by the following vote:

Yeas—29.

Bailey.	Fairchild.
Berkeley.	Floyd.
Bledsoe.	Hardin of Erath.
Bowers.	Hardin of Kaufman
Davis.	Holbrook.

Lewis.	Russek.
Moore of Hunt.	Smith.
Moore of Cooke.	Strong.
Murphy.	Stuart.
Parnell.	Ward.
Parr.	Wirtz.
Pollard.	Witt.
Price.	Wood.
Real.	Woodward.
Reid.	

Absent.

Triplett.

Absent—Excused.

Miller.

S. B. No. 450 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—29.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Triplett.

Absent—Excused.

Miller.

#### Senate Bill No. 389.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 389, A bill to be entitled "An Act prohibiting the establishment and maintenance of cemeteries near incorporated towns or cities and declaring the same to be a nuisance."

The bill was read second time and passed to engrossment.

#### Senate Bill No. 309.

The Chair laid before the Senate, on second reading,

S. B. No. 309, A bill to be entitled "An Act to provide that money paid political party committees shall not be counted in the amount limited for campaign expenses; and to repeal all laws in conflict herewith."

The bill was read second time and passed to engrossment.

**Senate Bill No. 346.**

The Chair laid before the Senate on second reading,

S. B. No. 346, A bill to be entitled "An Act to amend Article 637, Revised Civil Statutes of Texas, 1911, with reference to authorizing the incorporation of road districts and authorizing the same to sue and be sued, and authorizing the levying a tax for the payment of judgments.

The bill was read second time and passed to engrossment.

**Senate Bill No. 332.**

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 332, A bill to be entitled "An Act to amend Article 3720 of Chapter 1 of Title 54 of the Revised Statutes of 1911, so as to provide how executions shall issue when a sole plaintiff or one of several plaintiffs shall die after judgment, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 332 put on its third reading and final passage, by the following vote:

Yeas—27.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Absent.

Fairchild.	Witt.
Triplett.	

Absent—Excused.

Miller.

S. B. No. 332 was laid before the Senate, read third time, and passed finally.

**Senate Bill No. 9.**

The Chair laid before the Senate, on second reading,

S. B. No. 9, A bill to be entitled "An Act to amend Article 1340 of the Penal Code of the State of Texas, 1911, by providing that the punishment for the theft of property of the value of \$50 or more shall be by confinement in the county jail not more than twelve months or by confinement in the penitentiary not more than ten years."

There being a favorable majority committee report and an adverse minority committee report, Senator Murphy moved to adopt the majority committee report, which report was adopted.

The bill was read second time and passed to engrossment.

**Senate Joint Resolution No. 11.**

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. J. R. No. 11, a joint resolution "Proposing an amendment to Article 16 of the Constitution of Texas, by the addition of a new section to said Article 16, to be numbered Section 6; providing legislative authority for the enactment of laws to encourage the conservation of the timber resources of the State, and for the reforestation of deforested lands; for the administration of such laws; for the time and manner of voting upon such proposed constitutional amendment; defining certain duties of the Governor in connection therewith; and making an appropriation to defray expenses of proclamation, publication and election."

The resolution was read and passed to engrossment.

**Senate Bill No. 441.**

The Chair laid before the Senate, on second reading,

S. B. No. 441, A bill to be entitled "An Act to create the Montgomery Independent School District in Montgomery County, Texas, defining its boundaries, provide for the election of trustees, providing for the retention in office of the present board of trustees of the Montgomery Independent School District, and providing for the abolition of all other boards of trustees of any school district included within the district hereby created, providing for the

raising of revenues, issuing bonds, maintaining public free schools, providing for the means of transportation of the school children in said district, validating all issues of bonds heretofore voted and made, declaring valid and continuing in force all maintenance taxes heretofore voted and levied, providing for an election to determine (1) whether the entire district as a whole as herein created shall assume all outstanding bonded indebtedness, (2) all property within the Montgomery Independent School District as created by this Act, shall be subject to all special school taxes heretofore voted and levied by the Montgomery School District, repealing all laws in conflict with this Act, and declaring an emergency."

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 441 put on its third reading and final passage, by the following vote:

Yeas—30.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Miller.

S. B. No. 441 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Hardin of Kaufman
Berkeley.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Moore of Hunt.
Davis.	Moore of Cooke.
Fairchild.	Murphy.
Floyd.	Parnell.
Hardin of Erath.	Parr.

Pollard.	Stuart.
Price.	Triplett.
Real.	Ward.
Reid.	Wirtz.
Russek.	Witt.
Smith.	Wood.
Strong.	Woodward.

Absent—Excused.

Miller.

Senate Bill No. 336.

(By Unanimous Vote.)

The Chair laid before the Senate, an second reading,

S. B. No. 336, A bill to be entitled "An Act to amend the Acts of the Regular Session Thirty-eighth Legislature, Chapter 14, page 18, approved February 17, 1919, relating to pool halls by adding thereto Section 3a authorizing posts of war veterans, Young Men's Christian Association, religious orders, fraternal orders, labor temples and bona fide State chartered clubs to charge reasonable fee for use of their billiard tables to maintain such equipment, and declaring an emergency."

The Committee report, with amendments, was adopted.

Senator Pollard moved to postpone indefinitely the further consideration of the bill.

Senator Holbrook moved the previous question on the motion to postpone, which motion was duly seconded and was ordered.

The motion to indefinitely postpone was lost, by the following vote:

Yeas—13.

Davis.	Reid.
Holbrook.	Smith.
Lewis.	Strong.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Pollard.	Woodward.
Price.	

Nays—16.

Berkeley.	Parnell.
Bledsoe.	Parr.
Bowers.	Real.
Fairchild.	Russek.
Floyd.	Stuart.
Hardin of Erath.	Wirtz.
Hardin of Kaufman	Witt.
Murphy.	Wood.

Absent.

Bailey.

**Absent—Excused.**

Miller.

The bill was passed to engrossment, by the following vote:

**Yeas—18.**

Bailey.	Parr.
Berkeley.	Real.
Bledsoe.	Russek.
Bowers.	Stuart.
Fairchild.	Triplett.
Floyd.	Ward.
Hardin of Erath.	Wirtz.
Hardin of Kaufman	Witt.
Murphy.	Wood.

**Nays—12.**

Davis.	Pollard.
Holbrook.	Price.
Lewis.	Reid.
Moore of Hunt.	Smith.
Moore of Cooke.	Strong.
Parnell.	Woodward.

**Absent—Excused.**

Miller.

**Bills Signed.**

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 218.

**Recess.**

Senator Strong, at 4:40 p. m., moved that the Senate recess until 7:30 o'clock tonight, which motion was adopted, by the following vote:

**Yeas—18.**

Bailey.	Reid.
Bledsoe.	Russek.
Bowers.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman	Triplett.
Holbrook.	Ward.
Murphy.	Wirtz.
Parr.	Wood.

**Nays—11.**

Berkeley.	Pollard.
Davis.	Price.
Fairchild.	Real.
Lewis.	Witt.
Moore of Hunt.	Woodward.
Moore of Cooke.	

**Absent.**

Parnell.

**Absent—Excused.**

Miller.

**In Committee of the Whole.**

The Senate was called to order at 7:30 o'clock p. m. by Lieutenant Governor Miller, and at once resolved into a Committee of the Whole to continue the Penitentiary Investigating Committee hearing, with Senator Bledsoe presiding over the committee.

**In the Senate.**

The Senate convened as a session of the Senate, Lieutenant Governor Miller presiding.

Senator Bledsoe, Chairman of the Committee of the Whole, reported that the committee had made progress, could complete their labors in one more evening, and would reconvene Thursday evening.

**Adjournment.**

Senator Wood moved that the Senate adjourn until tomorrow morning at 10 o'clock, and Senator Floyd moved that the Senate recess until 9:30 o'clock tomorrow morning.

Action recurred on the longest time first, and the motion to adjourn until 10 o'clock tomorrow morning was adopted.

**APPENDIX.****Petitions and Memorials.**

The Chair had read a telegram from the Commissioner of Agriculture of Louisiana urging the passage by the Texas Legislature appropriation for the administration of the Pink Boll Worm work.

Also a resolution from the Legislature of Dakota, asking Congress to repeal the Act giving aid to States for building of State Highways.

**Committee Reports.****Committee Room,**

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 571, A bill to be entitled "An Act to amend Section 14, Chapter 67, of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being a special road law for Goliad County, by adding thereto Section 14a, to permit the issuance of bonds by Goliad County for the

purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,  
Austin, Texas March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 332, A bill to be entitled "An Act amending Chapter 19, Local and Special Laws, passed by the Thirty-seventh Legislature at its First Called Session, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 504, A bill to be entitled "An Act creating and incorporating the Newcastle Independent School District lying in Young County in the State of Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 484, A bill to be entitled "An Act changing the boundaries of Caldwell School District No. 6 in Lubbock County, Texas, and Abernathy Independent School District in Lubbock and Hale Counties, Texas, etc."

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 510, A bill to be entitled "An Act to incorporate Bradshaw Independent School District in Taylor and Runnels Counties, Texas, as an Independent school district, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 399, A bill to be entitled "An Act creating the Asherton Independent School District in Dimmit County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 485, A bill to be entitled "An Act creating the Bledsoe Independent School District in Lubbock County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 589, A bill to be entitled "An Act to create Friona Independent School District in Parmer County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 459, A bill to be entitled "An Act to amend an Act of the Second Called Session of the Thirty-eighth Legislature entitled, 'Creating the Westover Independent School District, etc.'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 621, A bill to be entitled "An Act validating Common School District No. 2, Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 625, A bill to be entitled "An Act to create the Bula Independent School District in Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 624, A bill to be entitled "An Act to create the West Camp Independent School District in Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 620, A bill to be entitled "An Act validating Common School District No. 9, Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 627, A bill to be entitled "An Act validating Common School District No. 12, Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 623, A bill to be entitled "An Act validating Common School District No. 1 of Bailey County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.



Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 490, A bill to be entitled "An Act to create and establish the Richmond Independent School District in Fort Bend County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 26, A bill to be entitled "An Act determining and fixing the annual salary of the county Superintendent of public instruction of Jefferson County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 517, A bill to be entitled "An Act creating the Sulphur Springs Independent School District of Rusk County, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 516, A bill to be entitled "An Act creating the Motley Independent School District of Rusk County, etc."

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Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 450, A bill to be entitled "An Act creating a special road law for Baylor County, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 439, A bill to be entitled "An Act amending the special road law of Titus County so as to authorize the commissioners' court to fund the road and bridge indebtedness of said county by the issuance of funding or refunding bonds, and to levy a tax in payment thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 577, A bill to be entitled "An Act to amend Section 11, Chapter 16 of the Local and Special Laws enacted by the First Called Session of the Thirty-seventh Legislature in 1921, same being a special road law for liberty County, by adding thereto Section 11a to permit the issuance of bonds by Liberty County for the purpose of refunding indebtedness incurred for road and bridge pur-

poses, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Printing, to whom was referred

H. B. No. 253, A bill to be entitled "An Act amending Chapter 51, Acts of the Regular Session of the Thirty-eighth Legislature, regulating publications in newspapers inserted by public officers, agents and agencies; prescribing the rate of charge thereof; fixing the price to be charged for political advertising; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, being same as S. B. No. 144.

Moore of Cooke, Chairman; Murphy, Russek, Pollard, Hardin of Erath.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 22, A bill to be entitled "An Act to amend Article 3896, Revised Civil Statutes of 1911, providing for a fiscal year for Fee Bill reports and date that such reports should be made, and providing for reports for a fractional part of a year, and the amount of maximum to which officers would be entitled, by providing that a fiscal year shall begin on January 1 and end December 31, and Fee Bill reports shall cover all transactions between such dates, and providing penalty for failure to turn over fees when due, and providing method for turning fees over to the county where litigation is threatened or in progress; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to re-

port the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 92, A bill to be entitled "An Act providing a method of validating titles to lands conveyed by guardians under the provisions of Chapters 11 and 12, Title 64, Revised Civil Statutes of Texas, 1911, as amended by Chapter 151, General Laws passed at the Regular Session of the Thirty-third Legislature of Texas, approved April 7, 1913, where county court failed to require the bond provided for by the fourth paragraph of Article 4162 and Article 4177, as amended."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 89, A bill to be entitled "An Act amending Article 3609, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911, relating to the management, control and disposition of community property by the wife of a deceased or insane husband, and repealing Article 3611, Chapter 29, Title 52, Revised Civil Statutes of Texas, 1911."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 431, A bill to be entitled "An Act to provide for the payment into court of a fund which is a matter of controversy between several

parties, and giving such court exclusive jurisdiction over such fund, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 303 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 298 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 255 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 401 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 438 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 382 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 297 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 446 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 331 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 393 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 223 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Bill Ordered Printed in Journal.

Committee Room,  
Austin, Texas, March 10, 1925.  
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Land and Land Office, to whom was referred

S. B. No. 259,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, but that the following substitute bill do pass.

REAL, Chairman.

**FORTY-FOURTH DAY.**

Senate Chamber,  
Austin, Texas,

Wednesday, March 11, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Strong.
Holbrook.	Stuart.
Lewis.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Bailey.

Prayer by Dr. Jewett of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Ward.

Excused.

Senator Bailey was excused for today and tomorrow on account of important business on motion of Senator Holbrook.

**Bills and Resolutions.**

By Senator Parr:

S. B. No. 452, A bill to be entitled "An Act making an appropriation to the Livestock Sanitary Commission to cover the compensation and expenses of inspectors and the expenses of procuring and furnishing cattle dip and materials and ingredients for cattle dip, in the performance of duties imposed by law upon said commission in reference to tick eradication work, and declaring an emergency."

Read first time and referred to Committee on Finance.

**Invitations.**

Austin, Texas, March 11, 1925.

Hon. Barry Miller, President of the Senate.

Dear Sir: The Texas Fine Arts Association invites the members of

the Senate, their families and friends, to a reception in their honor at the Elisabeth Ney Museum Thursday afternoon, March 12, from 5 to 7.

Very Respectfully,

WM. J. BATTLE, President.

EDNA COLLINS, Secretary.

On motion of Senator Pollard the invitation was accepted.

**House Bill No. 26.**

The Chair laid before the Senate, on second reading,

H. B. No. 26, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Jefferson County, Texas; providing for the payment of said salary; providing for the payment of office and traveling expenses, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

**House Bill Days.**

Senator Pollard asked unanimous consent to take up a Senate bill.

The Chair held that the joint rules prevented the consideration of Senate bills on today and tomorrow, the two days being for the consideration of House bills only.

**House Bill No. 110.**

The Chair laid before the Senate, on second reading,

H. B. No. 110, A bill to be entitled "An Act providing that counties that borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature, passed at the Fourth Called Session, may by payment of accrued interest be given an option of five years additional time in which to return the principal, and declaring an emergency."

The bill was read second time and passed to a third reading.

**House Bill No. 220.**

The Chair laid before the Senate, on second reading,

H. B. No. 220, A bill to be entitled "An Act amending Section 39, under Section 1 of House bill No. 136, being Chapter 168 of the General Laws passed at the Regular Session of the